



June 8, 1999

Ms. Jennifer D. Soldano
Associate General Counsel
Texas Department of Transportation
125 E. 115th Street
Austin, Texas 78701-2423

OR99-1601

Dear Ms. Soldano:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 124991.

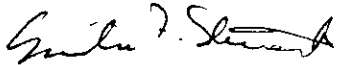
The Texas Department of Transportation (the “department”) received a request for the individual interview scores and questions that pertain to the interviewees for a particular position and for the final score of each applicant that received an interview. You state that the requestor will be provided with the interview scores and the questions, responses, and notes to questions 3, 5, 7, and 8. You claim that the interview questions, responses, and notes to questions 1, 2, 4, 6, and 9-13 are excepted from disclosure under section 552.022 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

In Open Records Decision No. 626 (1994), this office determined that the term “test item” in section 552.122 includes any standard means by which an individual or group’s knowledge or ability in a particular area is evaluated, but does not encompass evaluations of an employee’s overall job performance or suitability. This office ruled previously that questions 1, 2, 4, 6, and 9 test an individual or group’s knowledge or ability in a particular area. Open Records Letter No. 99-1041 (1999). Open Records Letter No. 99-1041 (1999) concerned the precise information at issue in this request. You may withhold the questions, preferred answers, and responses for questions 1, 2, 4, 6 and 9 under section 552.122(b). You must release the remainder of the requested information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Emilie F. Stewart".

Emilie F. Stewart
Assistant Attorney General
Open Records Division

EFS\nc

Ref: ID# 124991

Encl: Submitted documents

cc: Ms. Jennifer L. Smith
5114 Duval Street
Austin, Texas 78751-2030
(w/o enclosures)